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ABSTRACT

The manual, intended for use by adults and not in the high school classroom situation, presents material directed toward assisting in the reduction of credit card crime. This teaching guide is organized in three sections which deal with the nature of and major reasons for credit card fraud, the types of hot card runners, and methods of reducing credit card losses. The format of the materials is a two-column arrangement, headed instructional outline and methods. Appropriate handouts accompany each lesson and a list of references is appended. (LJ)

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STORE SECURITY

credit

card

fraud

CEOC5252

CREDIT CARD FRAUD

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PURPOSE AND OBJECTIVES

The major purpose of this course is to assist in the reduction of running hot cards in any business establishment. This can be done by utilizing the materials contained in this manual in several ways.

(1) Inform all persons on the nature of the problem.

(2) Train employees to effectively control the problem.

(3) Educate the public as to the penalties that exist.

(4) Inform the public as to the effects of being arrested and convicted of such a crime.

The objectives of this course are:

(1) To identify the nature of the credit card crime.

(2) To identify the types of hot card runners.

(3) To list the major reasons for credit card fraud.

(4) To identify methods of reducing credit card losses.

This manual is to be used for adults and <u>not</u> to be used in a high school classroom situation!!!

INTRODUCTION

The teaching outline following discusses the crime of credit card fraud. The T-Outline format will be utilized with content on the left and suggestions on how to present it on the right. Just like any crime, credit card fraud is stealing and can ruin a person's future job opportunities and future life.

As an instructor, one must use good judgment in presenting the information in this outline. What is presented to retail establishments should not encourage young people to try the techniques of card running.

The increase in card running can be attributed to several factors:

1. The credit card is a plastic symbol of the American way of life. Nearly 400 million are in use.

2. The impossible task of security is found in plant production, mail practices, and in retail stores.

3. Society is accepting credit cards instead of paper money or coins as a medium of exchange.

4. Lack of legislation in credit card fraud.

The first bank to enter the charge account banking field was the Franklin National Bank in 1951. This new concept in retail banking grew slowly, and by the end of 1953 only 62 banks were involved in this new customer service. Later in that decade and in the early 1960's, a number of other banks became involved in similar credit card plans, all of which were localized. However, 1966 was the turning point for the credit card in banking—in terms of structure, marketing, distribution and popularity. Following greater acceptance and popularity came the shocking reality of the security problems inherent with bank credit card operations. Most recent estimates indicate that there are approximately 400 million credit cards produced in the U.S. annually, approximately 150 million of which were mailed by banks. Last year these credit cards were used to transfer between three and four billion dollars. "Instant cash", "plastic money", and "new money" are only a few of the advertising labels that have been affixed to various credit cards. This type of advertising has served its purpose in persuading the public to use credit cards; however, it has also brought more attention from the criminal element. Since these templates are the same as money, the bank's security program must be capable of handling the various problems inherent in the handling of money. Prior to entering such a program, the security department should be prepared with well-designed plans for protection, for minimizing loss and minimizing the need to investigate and recover losses.

The highest estimate encountered to date is total losses of $260 million per year. This is $60 million above the most recent estimate of $200 million for 1970 by the Nilson Report, a newsletter published in Los Angeles which is devoted to the credit card field, and which says that $27.5 million of that amount comes from oil company credit cards alone. Nilson's figure of $27.5 million is consistent with a survey conducted by Standard Oil Company of Ohio of 15 major oil companies for 1969 which found that total losses for these companies was $23 million, up $14 million from the calendar year 1968.

Bank Americard released figures for the year ending June 30, 1971, when its total franchise system had $1,537,157,000 in outstandings. In that same report it said that, for the quarter ending June 30, 1971, fraud losses accounted for one-sixth of total charge-offs, which were 1.77 percent of liquidations or $27,207,678.

It has been stated that organized crime is entering into the credit card theft area. If this is true, and there is no reason to doubt it, we shall be facing even greater challenges in the future. Manufacturers can build security features into the card—such as magnetic strips, hidden inks and photographs—and we can protect the card while in production; however, in the final analysis, we must all work together and improve every aspect of security, never becoming satisfied, but instead always seeking a new method or a better procedure for securing this "plastic money".

Law enforcement agencies claim they're much too busy with crimes of violence to bother with credit card fraud. If a man with a gun steals a thousand dollars from a bank, everybody from the local police to the FBI can be on his tail. But if the same man uses a plastic license to steal a thousand dollars from a bank nobody gets unduly excited.

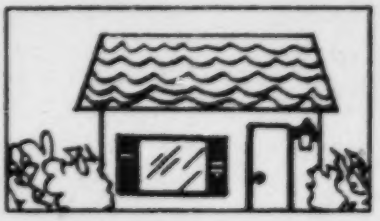
The fact is that only half the states in the nation have even passed a law dealing with credit card crime. In some states, if a man is caught with, say, a hundred stolen credit cards, all he can be charged with is the theft of two dollars' worth of plastic. The credit card, they tell us, is as good as cash. For the criminal, it seems, it can be even better.

This outline has been developed so that the instructor can use flexibility in the presentation of the material. The number of sessions can be determined by the businesses or groups one is working with.

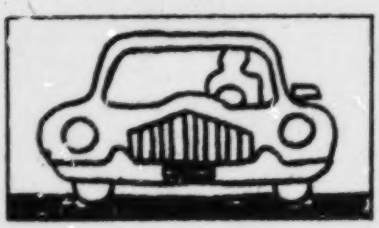
SESSION ONE

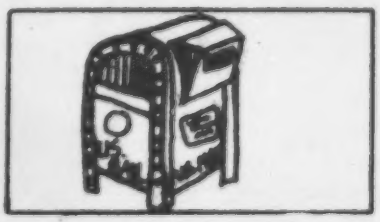
Instructional Outline	Methods
Objective - to acquaint the participants with the people running the cards, how they obtain the cards, and how they run the plastic.	It is suggested that a police officer, attorney or some expert on credit card fraud be used at the end of the session to give further cases or to answer questions. Equipment needed: flash cards, flip chart, chalkboard and flannel board.
I. Introduction.	
A. Instructor.	Write name on flip chart; give the school and something about D.E., and the courses adult D.E. has to offer to the local businesses.
1. Name.	
2. Experience.	
B. Students.	
1. Name.	
2. Years of experience.	
II. Purpose of course.	
A. Inform all persons on the nature of the problem.	
B. Train employees to effectively control the problem.	
C. Educate the public as to the penalties that exist.	
D. Inform the public as to the effects of being arrested and convicted of such a crime.	
III. Why people run cards.	Ask: Why do people run plastic?
A. Their needs.	Comment: The "need aspect is a family who has no money and turns to anything to make a living.
1. Basic.	
2. Luxuries.	
B. Their Vocation.	
1. Professional.	

Instructional Outline	Methods
2. Amateur.	
C. They can't pass up the chance.	
D. They do it on a dare.	
	Question: How can the reasons for running plastic be explained?
	Illustrate using a flash card for each reason:
	NEED (picture of person of limited means)
	VOCATION (picture of man holding credit card)
	CHANCE (picture of person throwing dice)
	DARE (picture of someone jumping off cliff)

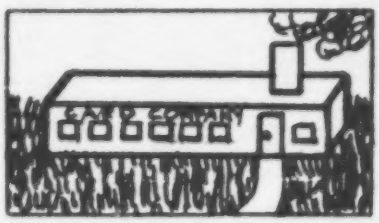
Instructional Outline	Methods
IV. Ways of obtaining the card.	
A. Link to other crime — The actual user of a stolen card is often only the tip of the criminal iceberg.	
1. Hardened criminals frequently indulge in credit card crime.	
2. An American Express* study revealed that a large majority of individuals arrested for credit card fraud possessed criminal records.	
B. Ten criminal ways plastic is obtained.	Passout HANDOUT #1-A, "Criminal Ways Plastic is Obtained."
	After mentioning each crime, ask: How can people cut down the obtaining of credit cards in this way?
1. Burglary.	Illustrate using a flash card:
a. Home robberies are increasing daily. Robbers obtain other needed identification at the same time.	
b. Not usually a long running card, due to the fact most robberies are reported in a short time along with card numbers.	
c. Second highest way of obtaining credit cards.	
2. Pickpocketing.	Illustrate using a flash card:
a. Usually done in big downtown areas, while people are on vacation, etc.	(See next page.)

*Milton Lipson, Vice President, Corporate Security, American Express Company, reported in FBI Law Enforcement Bulletin, July 1970.

Instructional Outline	Methods
b. Again, usually not a long time running card due to the same reason as in 1-b above.	
3. Auto Thefts.	Illustrate using a flash card:
a. People have a tendency to put credit cards in the glove compartment because of the number they have.	
b. Again a short running card because of the same reason as in 1-b above.	
c. Over 2,000 cars a year have been stolen in Cleveland in the past years. How many cards?	
4. Purse Snatching.	Illustrate using a flash card:
a. Same as pickpocketing.	
b. Being reduced due to the shoulder bags which are now popular.	
c. Again, a short running card.	
d. Highest way of obtaining credit cards.	
5. Mugging.	Illustrate using a flash card:
a. Not a very widely used method of obtaining a card, but it is becoming a problem.	
b. Again, a short running card.	

Instructional Outline	Methods
6. Murder. a. Also not a widely used method. b. A short running card.	Illustrate using a flash card:
7. Juice Victims.* a. People who are delinquent in making loan payments are forced to give the loan sharks their credit cards. These sharks then instruct the victim not to report their card gone for 30 days. b. Fenced for cash.	Illustrate using a flash card:
8. Lost Cards. a. Careless card holder who leaves them at gas stations, stores, or other establishments and forgets to report them. b. A short running card.	Illustrate using a flash card:
9. Federal Crime - Postal. a. Most desirable card because the card has no signature and the person doesn't report the card for a length of time.	Illustrate using a flash card: 

*Credit Card Fraud in Illinois, Illinois Legislative Investigating Commission, Chicago, September, 1972.

Instructional Outline	Methods
b. Card owner doesn't know of loss until he gets a bill.	
c. Some card companies are now issuing cards with an advance effective date to insure the card cannot be used until 30 or so days after it is sent.	
d. Resale value of this card is high.	
e. This type is a very good running card.	
f. Accounts for 30-40% of hot plastic.	
g. 80-90% of dollar losses (1970)	
10. Internal Theft.	Illustrate using a flash card:
a. Card companies.	
b. The plastic card itself is worth just two cents, and in the not too distant past the industry treated it just about that carelessly. It was not uncommon to have thousands of them stolen while they were being manufactured. But all of that is changed, especially since recent legislation now protects the individual cardholder to a maximum of $50 liability if someone else uses his card. So now the credit card companies are the victims, and security here has been tightened.	
c. Employee thievery is a $10 billion a year business.*	

*Weisinger, Parade, December 9, 1973.

Instructional Outline	Methods
(1) 70% of employees steal $20 or more from their employer. (2) One out of twelve employees are engaged in organized rip-off.	
V. People involved with credit card rip-off. A. Prostitutes. 1. They simply lift them from their clients. 2. Give them to a middleman for $25 to $100 per card. 3. Remove only one or two cards so they aren't missed. B. Waiters. Place the card under an object when presenting the check. C. Clerks. Fail to return the card to the customer. D. Postal employees. 1. Steal themselves. 2. Act as spotters for a professional who then steals from the mailbox. 3. Common in large apartment complexes. E. Common thieves. 1. Robbers. 2. Auto thieves.	Passout HANDOUT #1-B, "The Big Five Suppliers." Ask: What types of people might be involved with stealing credit cards? How do they steal the cards?

Instructional Outline	Methods
3. Muggers.	
4. Drug Addicts.	
VI. Running Hot Plastic.	Ask: Once the card is stolen, how does the card runner get the plastic?
A. Runners receive plastic from a middleman.	Ask: What is a middlemen? What is his function in credit card fraud?
1. Gas station attendants.	
2. Clerks.	
3. Hotel porters.	
4. Fences.	
B. The Big Five Runners.	Passout HANDOUT #1-C, "The Hot Card Runners."
1. Professional Joe made $800,000 in 40 days.	Ask: Have any of you ever been taken by a runner? Explain the type of person he or she was -- characteristics, personality, etc.
a. Cases stores and managers.	
b. Knows the security measures of the store.	
c. Selects the clerk he can fool.	
d. Specializes in certain merchandise areas.	
2. Just before closing Sally.	
a. Confuses the clerk.	
b. Threatens to call the manager.	
c. Makes the clerk make mistakes.	
d. Refers to an upcoming holiday anniversary, or birthday.	
e. In a hurry.	

Instructional Outline	Methods
3. Joking Monroe. a. Talkative customer. b. Jokester. c. Tries to get the clerk impatient with him, but keeps the clerk waiting on him. d. Gets the clerk confused. 4. Fumbling Fred. a. Is so clumsy that the clerk's attention is focused on the person instead of the card. b. The clerk suspects the runner of being high or ill. 5. First time Frieda. a. Nervous. b. Easily talked into other items. c. Becomes impatient and tries to hurry the clerk just to get out of the store.	

CRIMINAL WAYS PLASTIC IS OBTAINED

BURGLARY

PICKPOCKETING

AUTO THEFTS

PURSE SNATCHING

MUGGING

MURDER

JUICE VICTIMS

LOST CARDS

FEDERAL CRIMES

INTERNAL THEFT

THERE WERE OVER 400 MILLION CARDS PRODUCED IN THE UNITED STATES. THERE WAS AN ESTIMATED $200 MILLION LOSS IN 1970.

THE BIG FIVE SUPPLIERS

PROSTITUTES

Major supplier of credit cards.
Removes only one or two cards.

WAITERS

Places cards under an object when presenting the check in the hope that the customer will forget.

CLERKS

Fails to return the card to the customer.

POSTAL EMPLOYEES

Acts as a spotter for a professional who steals from the mailbox.

COMMON THIEVES

Robbers - auto thieves - muggers - drug addicts.

THE HOT CARD RUNNERS

Professional Joe

Cases store and manager - selects the inexperienced clerk - specializes in certain merchandise areas - has a list of items to buy.

Just Before Closing Sally

Confuses the clerk - threatens to call the manager if the clerk will not wait on her - makes the clerk make mistakes.

Joking Monroe

Talkative customer - jokester - doesn't let the clerk wait on other customers - gets the clerk confused.

Fumbling Fred

So clumsy that the clerk's attention is focused on him instead of the card - the clerk thinks that Fred is ill or high.

First Time Frieda

Nervous - easily persuaded to buy other items because she is impatient.

Instructional Outline	Methods
Objective - to acquaint the participant with the procedures to prevent the running of hot cards.	Materials needed: 16mm projector, film — "Hot Cards" (Interbank Systems, 1972); flip chart; chalkboard.
I. How the runner uses the card.	Ask: How does a customer use a credit card?
The runner uses the card the same as any customer. He or she makes the selection of merchandise just as any customer and asks for customer assistance just like any customer. There are three significant differences:	Runners use same procedure.
	Go over the steps of a sale to reinforce in the participant that a card fraud is like any other.
A. Every store has a determined floor limit. If a purchase is over this amount, the clerk must call for authorization. Since the runner does not want to risk the store checking on the card, his purchase will be under the floor limit amount.	Ask: What is a floor limit?
B. Runners usually buy items that can be resold easily.	Ask: What items could be easily resold by thieves?
Experienced credit card thieves do not buy haphazardly. They have a list, which includes such things as:	List on board.
1. Radios.	
2. Cameras.	
3. Portable TV's.	
4. Electric razors.	
5. Auto accessories.	
6. Jewelry.	
C. Runners have accomplices.	Ask: What is an accomplice?
1. Individuals who distract the salesperson.	
2. The store employee.	
a. The runner purchases non-existent articles or services, then submits to the credit	

Instructional Outline	Methods
company for a refund. b. The runner and employee split the take.	
II. Danger signs clerks should watch out for. Legitimate merchants and sales clerks can protect themselves from the credit card thief by remaining alert and following proper security procedures. Although some professional card users are excellent actors, many are not so adept. During a credit card transaction, the thief is under a certain amount of tension which often produces behavior that an observant clerk could recognize as suspicious. Salespeople should be warned to watch for the following tip-off signs:	Ask: When should a clerk question the actions of a customer? Ask: What are some danger signs? Passout HANDOUT #2-A, "Danger Signs."
A. The customer who makes indiscriminate purchases without regard to size, style, color or price. B. The customer who questions the salesperson about the floor limit on credit purchases, or makes several individual purchases that approach but never pass the floor limit. C. The customer who is unnecessarily chatty or who delays a selection repeatedly until the clerk is upset. D. The customer who hurries a clerk at quitting time. E. The customer who purchases a large item, such as a color television console, and insists on taking the item with him instead of having it delivered. F. The customer who refuses alterations on wearing apparel even though the alterations are included in the selling price.	

Instructional Outline	Methods
G. The customer who adds an unusually generous tip to his restaurant or hotel bill. When a clerk suspects a fraudulent use of a credit card (even when the amount charged is below the floor limit), he should make an authorization call to the credit card company. If the card has been reported stolen, the major credit card companies immediately transfer the call to their security office. The credit card security officer verifies that the card was reported stolen and instructs the salesperson to keep the card and stall the customer as long as possible. The security officer then calls the police. Although the clerk should attempt to stall the customer until police have time to arrive, he should be aware that the thief could be dangerous. The clerk should keep the card only if he can do so without endangering his own safety.	Comment: When danger signs occur, they do not mean you are dealing with a runner, but you should make sure you handle the sale properly according to procedures.
III. Steps in checking the card.	Ask: What should you look for on a card?
A. Alterations of embossed information can usually be detected by careful examination with the naked eye. The thief has to flatten the original embossed figures with heat and/or pressure and then create new figures.	Passout HANDOUT #2-B, "Guidelines On What To Look For."
B. The thief may alter the expiration date to extend the life of the card or the account number and name to beat the "Hot Card List".	Passout HANDOUT #2-C, "Sample Charge Card."
C. The signature panel on the front or back of the card should also be examined for erasures or for the type of tampering described in this text.	

Instructional Outline	Methods
D. One should check for evidence that a photo has been removed, replaced or covered over.	
E. Compare signatures to sales draft.	Passout HANDOUT #2-D, "Sample Charge Slip."
F. Check "Hot Card List" by the cash register.	
G. Check identification.	
H. Especially check out-of-state cards--such losses are hard to recover.	
IV. Authorization tips.	Passout HANDOUT #2-E, "Authorization Tips."
A. Know the dollar amount of your floor limit.	
B. Always verify the customer's signature on the back of the card with the signature on the sales slip.	
C. Before approving a purchase for a sale under the floor limit, check the Hot Card List.	
D. Are you dialing the correct telephone number of the Authorization Center? If you should encounter a ring with no answer or a fast busy condition, hang up and dial the number again. Should you encounter this condition twice, call your local operator and request assistance.	
E. Always announce the following situations to the authorization operator at the beginning of the authorization request:	Passout HANDOUT #2-F, "Special Information to Authorization Operator."
1. Expired card.	
2. Dependent using the card.	
3. Cardholder shopping without his card.	
4. Suspicious circumstances (no identification, etc.).	

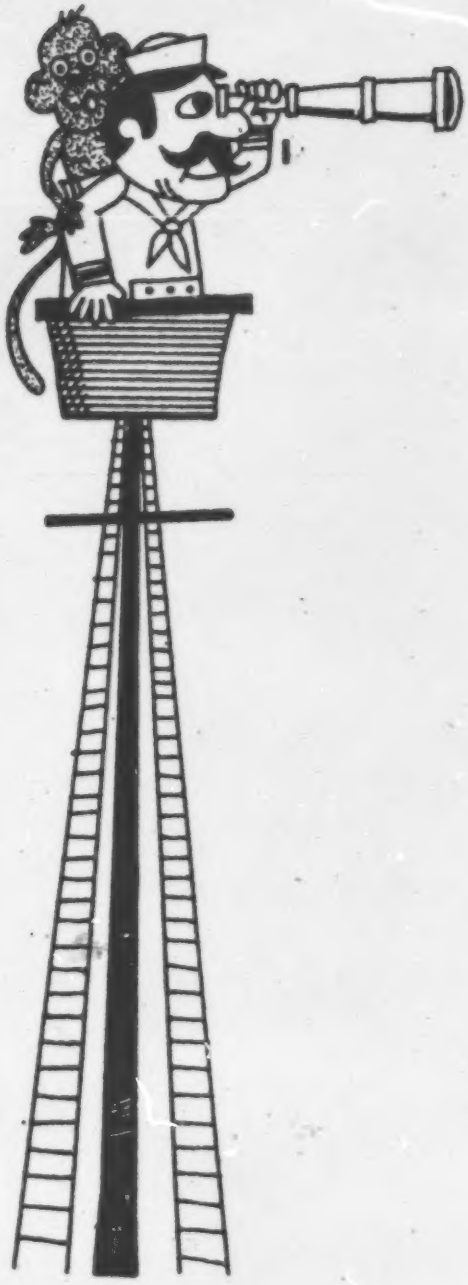
Instructional Outline	Methods
5. Cancelling or changing the amount on a previous authorization.	
F. Be prepared to give the authorization operator the following information in the order listed.	Passout HANDOUT #2-G, "Procedure On Authorization Calls."
1. Your merchant number.	
2. The customer account number.	
3. Amount of the sale.	
4. In some instances, the operator may first request the Interbank number on the card. This is a four digit number beginning with a one above the cardholder's name on the face of the card. This information will be requested when the call is being referred directly to the bank for authorization.	
	Show film, "Hot Cards".
	Discuss the film to reinforce points in this session.

DANGER SIGNS

LOOK OUT FOR THE CUSTOMER WHO:

- Makes indiscriminate purchases
- Questions about floor limit
- Makes several individual purchases just below limit
- Unnecessarily chatty
- Delays selection until clerk becomes upset
- Hurries clerk at quitting time
- Makes one large purchase and refuses delivery
- Refuses alterations
- Gives an extra large tip on bill

GUIDELINES ON WHAT TO LOOK FOR



Alterations of embossed information

Alterations on expiration date

Signature panel erasures

Check to see if photo is present or if it has been removed

Like signatures on identification and credit card

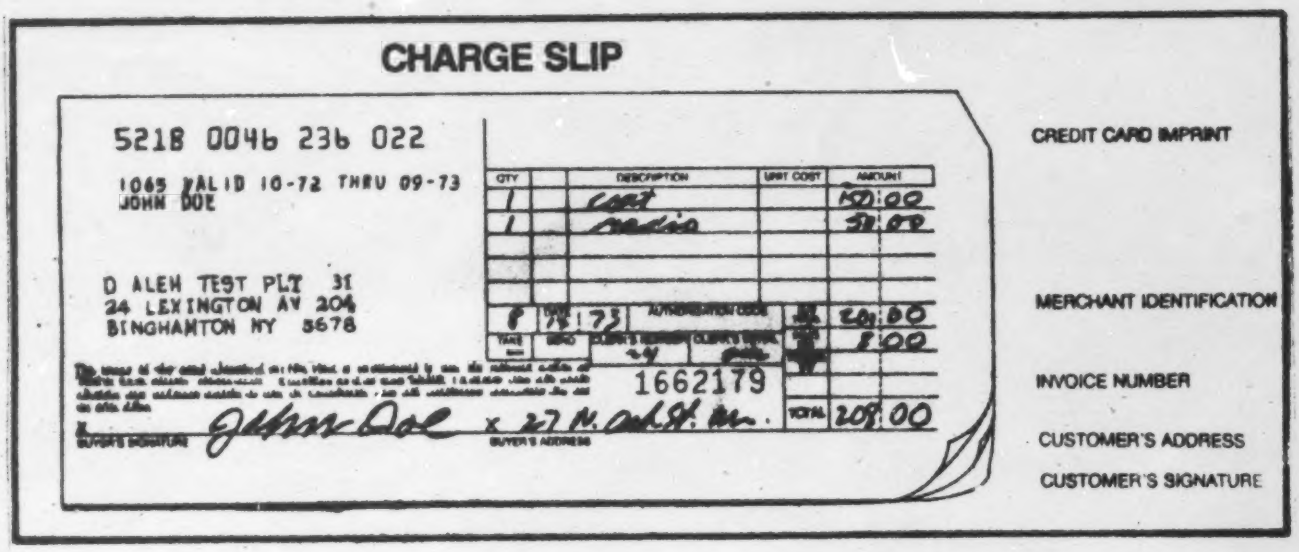
Card number on Hot Card List

Proper identification

Out-of-state credit cards

SAMPLE CHARGE CARD

SAMPLE CHARGE SLIP



AUTHORIZATION TIPS

- KNOW THE FLOOR LIMIT.
- ALWAYS VERIFY THE CUSTOMERS SIGNATURE ON CARD WITH SALES DRAFT.
- CHECK HOT CARD LIST.
- PROPER DIALING OF AUTHORIZATION CALL SALES DRAFT.
- GIVE THE CIRCUMSTANCES TO AUTHORIZATION OPERATOR. DEPENDENT USING CARD — CARD HOLDER SHOPPING WITHOUT CARD — ETC.
- MAKE SURE YOU GIVE MERCHANT NUMBER, CUSTOMER NUMBER, AMOUNT OF SALE.

LET'S END HOT CARDS

SPECIAL INFORMATION TO AUTHORIZATION OPERATOR

ADVISE THE AUTHORIZATION OPERATOR FIRST OF THE FOLLOWING CIRCUMSTANCES IF THEY ARE PRESENT:

* AN EXPIRED CARD
* A DEPENDENT USING THE CARD
* CARDHOLDER SHOPPING WITHOUT A CARD
* NO IDENTIFICATION
* CHANGING THE AMOUNT ON A PREVIOUS CHARGE

PROCEDURE ON AUTHORIZATION CALLS

GIVE:

YOUR MERCHANT NUMBER

THE CUSTOMER ACCOUNT NUMBER

AMOUNT OF SALE

INTERBANK SYSTEM NUMBER

Instructional Outline	Methods
Objective - to introduce new laws; to inform on how fill out new affidavits; to inform on how to make	Invite speakers such as: bank representatives, police officers, or city attorney.
I. The law and you (Ohio Criminal Code).	
A. MISUSE OF CREDIT CARDS.	Passout HANDOUT #3-A, "Misuse of Credit Cards."
Ohio Criminal Code 2913.21	Have the suggested speakers above form a panel. Use this for discussing questions during or after presentation.
(A) No person shall do any of the following:	
(1) Practice deception for the purpose of procuring the issuance of a credit card, when a credit card is issued in actual reliance thereon;	
(2) Knowingly buy or sell a credit card from or to person other than the issuer.	
(B) No person, with purpose of defraud, shall do any of the following:	
(1) Obtain control over a credit card as security for a debt;	
(2) Obtain property or services by the use of a credit card, knowing or having reasonable cause to believe that such card has expired or been revoked, or was obtained, is retained, or is being used in violation of law;	
(3) Furnish property or services upon presentation of a credit card, knowing that such card is being used in violation of law;	
(4) Represent or cause to be represented to the issuer of a credit card that property or	

Instructional Outline	Methods
services have been furnished, knowing that such representation is false. (C) No person, with purpose to violate this section, shall receive, possess, control, or dispose of a credit card. (D) Whoever violates this section is guilty of misuse of credit cards, a misdemeanor of the first degree. If the value of the property or services involved in a violation of division (B) (2), (3), or (4) of this section is one hundred fifty dollars or more, or if the offender has previously been convicted of a theft offense, then misuse of credit cards is a felony of the fourth degree. HISTORY: 134 v H 511. Eff 1-1-74 The effective date of H 511 is set by section 4 of the act. The section 2913.21 of the Ohio Criminal Code designed to penalize the individual who owns the card, but misuses it. Most police departments prefer to charge the suspect with section 2913.31, forgery, because it is stiffer in penalty and because an issuer can always reduce the felony charge.	
B. FORGERY Ohio Criminal Code 2913.31 (A) No person, with purpose to defraud, or knowing that he is facilitating a fraud, shall do any of the following:	Passout HANDOUT #3-B, "Forgery."

Instructional Outline	Methods
(1) Forge any writing of another without his authority; (2) Forge any writing so that it purports to be genuine when it is actually spurious, or to be the act of another who did not authorize that act, or to be executed at a time or place or with terms different from what was in fact the case, or to be copy of an original when no such original existed; (3) Utter, or possess with purpose to utter, any writing which he knows to have been forged. (B) Whoever violates this section is guilty of forgery, a felony of the fourth degree. HISTORY: 1972 H 511, eff. 1-1-74 Police departments also use the following section. Ohio Criminal Code 2913.32 -- Criminal Simulation (A) No person, with purpose to defraud, or knowing that he is facilitating a fraud, shall do any of the following: (1) Make or alter any object so that it appears to have value because of antiquity, rarity, curiosity, source, or authorship, which it does not in fact possess; (2) Practice deception in making, retouching, editing, or reproducing any photograph, movie film, video tape, phonograph recording tape;	Passout HANDOUT #3-C, "Criminal Simulation."

Instructional Outline	Methods
(3) Utter, or possess with purpose to utter, any object which he knows to have been simulated as provided in division (A) (1) or (2) of this section.	
(B) Whoever violates this section is guilty of criminal simulation, a felony of the fourth degree.	
HISTORY: 1972 H 511, eff. 1-1-74	
II. Penalties for Misdemeanor and Felony.	
A. There are two different penalties for running cards.	
1. Lesser charge	
PENALTIES FOR MISDEMEANOR	Passout HANDOUT #3-D, "Penalties for Misdemeanor."
Ohio Criminal Code 2929.21	
(A) Whoever is convicted of or pleads guilty to a misdemeanor other than a minor misdemeanor shall be imprisoned for a definite term or fined, or both, which term of imprisonment and fine shall be fixed by the court as provided in this section.	
(B) Terms of imprisonment for a misdemeanor shall be imposed as follows:	
(1) For a misdemeanor of the first degree, not more than six months;	
(2) For a misdemeanor of the second degree, not more than ninety days;	
(3) For a misdemeanor of the third degree, not more than sixty days;	

Instructional Outline	Methods
(4) For a misdemeanor of the fourth degree, not more than thirty days. (C) Fines for misdemeanor shall be imposed as follows: (1) For a misdemeanor of the first degree, not more than one thousand dollars; (2) For a misdemeanor of the second degree, not more than seven hundred fifty dollars; (3) For a misdemeanor of the third degree, not more than five hundred dollars; (4) For a misdemeanor of the fourth degree, not more than two hundred dollars. (D) Whoever is convicted of or pleads guilty to a minor misdemeanor shall be fined not more than one hundred dollars. HISTORY: 1972 H 511, eff. 1-1-74 2. Maximum penalty PENALTIES FOR FELONY Ohio Criminal Code 2929.11 (A) Whoever is convicted of or pleads guilty to a felony other than aggravated murder or murder, shall be imprisoned for an indefinite term and, in addition, may be fined. The indefinite term of imprisonment shall consist of a maximum term as provided in this section and a minimum term fixed by the court as provided in this section. The fine shall be fixed by the court as provided in this section.	Passout HANDOUT #3-E, "Penalties for Felony."

Instructional Outline	Methods
(B) Terms of imprisonment for felony shall be imposed as follows: (1) For a felony of the first degree, the minimum term shall be four, five, six, or seven years, and the maximum term shall be twenty-five years; (2) For a felony of the second degree, the minimum term shall be two, three, four, or five years, and the maximum term shall be fifteen years; (3) For a felony of the third degree, the minimum term shall be one year, eighteen months, two years, or three years, and the maximum term shall be ten years; (4) For a felony of the fourth degree, the minimum term shall be six months, one year, eighteen months, or two years, and the maximum term shall be five years. (C) Fines for felony shall be imposed as follows: (1) For a felony of the first degree, not more than ten thousand dollars; (2) For a felony of the second degree, not more than seven thousand five hundred dollars; (3) For a felony of the third degree, not more than five thousand dollars; (4) For a felony of the fourth degree, not more than two thousand five hundred dollars. HISTORY: 1972 H 511, eff. 1-1-74	

Instructional Outline	Methods
III. New Affidavits. With the new law in Ohio, there is also a new procedure for filing charges at the time of the arrest.	Passout HANDOUT #3-F, "Blank Form." Go over with the participants. The complaints can be adapted to any city or county by replacing the name of your city, county, state, and Clerk of Courts. Passout HANDOUT #3-G, "Obtain Card by Deception." Passout HANDOUT #3-H, "Security for a Debt." Passout HANDOUT #3-I, "Buy or Sell." Passout HANDOUT #3-J, "Obtain Property or Services."
IV. Making the Arrest. The arresting officer's first action is to secure the scene and detain all parties involved. Remain alert. Remember that the fraudulent user of a credit card may have been involved in other crimes. The officer should take the credit card and ask the clerk to explain what happened. This should be done beyond the hearing of the suspect. Once the clerk has described the attempted purchase, the officer should carefully examine the card. He should examine all numbers, dates, names and the signature panel for signs of alterations. The customer should then be given an opportunity to provide an explanation. Examine any additional identification that is available. Check other credit cards that the customer has in his possession in order to compare names and other data. After gathering these initial facts, the police officer should call the security office of the credit card company in order to obtain additional information about the rightful card holder. The security office will be able to provide the card holder's full name, age, address, oc-	

Instructional Outline	Methods
cupation, personal references, place of employment, date of last payment and amount of last payment. The suspect should be questioned about this information. The police dispatcher and the major credit card security offices have access to a cross reference telephone directory which can provide material for further questions, such as: How long has the individual lived at a certain address? Who are some of his neighbors? What is his telephone number? The rightful owner of the card would be able to answer these questions. If the suspect cannot supply satisfactory answers to these questions, and the security officer states that the card has been reported stolen, and the clerk identifies the suspect as the person who attempted to make a purchase with the card, then probable cause for apprehension for fraudulent use of a credit card would be established. The customer would be placed under arrest, and the officer would take possession of all physical evidence including the credit card, the sales slip and the merchandise. The security officer at the credit card company should be requested to send a representative to the police station to sign a formal complaint. Since fraudulent credit card users nearly always use automobiles, a search of the area should be made in order to locate the car. Locating the car often means locating an accomplice. Although the officer will probably lack grounds to arrest the accomplice at this time, preliminary information may be obtained in order to begin an investigation. The officer should not allow the accomplice to remove anything from the car. The officer should avoid conducting a premature (and possibly illegal) search of the vehicle. If the car is illegally parked, impound it. Even if the car is	

Instructional Outline	Methods
properly parked, it can be impounded temporarily until more information is obtained about the manner in which the credit card was stolen.	
V. Information needed for Investigation.	
A. Larger credit card companies employ professional investigators.	Passout HANDOUT #3-K, "Information Needed for Criminal Investigation."
B. Certain types of information are important to a credit card investigation, although they would not be included in the routine police report of a crime. For example, detailed information should be compiled that includes the following items:*	
1. The name of the store and the address where the fraudulent purchase occurred, the name of the owner or manager of the store and his telephone number.	
2. The name of the legitimate card holder, his address, telephone number, business address, and information relating to how the card was originally lost or stolen.	
3. A description of the item purchased, the amount of the sale, and the clerk's or cashier's name, especially if the latter witnessed the signing of the charge slip.	
4. Samples of handwriting in the form of signed sales drafts and applications are on file.	
5. License plate numbers are recorded on sales drafts at gas service stations.	

* Transcript of proceedings at the 1972 National Credit Card Security Conference, sponsored by the Association of Credit Card Investigators, Milwaukee, Wisconsin, September, 1972.

Instructional Outline	Methods
6. Drivers' licenses are a matter of record on car rental contracts or on sales drafts where further identification is requested. 7. Even if the credit card is discarded prior to the subject's apprehension, its imprint is still permanently recorded on the customer's copies of sales drafts, airline tickets, hotel bills or car rental contracts carelessly stuck in a pocket, purse or glove compartment of an auto. 8. The description of a rented auto the subject had in his possession at any particular time is also a matter of record at the car rental agency. 9. Add to these sources of information the fact that all major credit card issuers have trained staffs of investigators, most of whom are ex-law enforcement agents themselves, and it presents a pretty formidable investigative tool.	PREVENTION: Develop a sound credit card acceptance procedure that is usable in your store. LET'S END HOT CARDS!!!

MISUSE OF CREDIT CARDS

OHIO CRIMINAL CODE 2913.21

(A) No person shall do any of the following:

(1) Practice deception for the purpose of procuring the issuance of a credit card, when a credit card is issued in actual reliance thereon;
(2) Knowingly buy or sell a credit card from or to a person other than the issuer.

(B) No person, with purpose to defraud, shall do any of the following:

(1) Obtain control over a credit card as security for a debt;
(2) Obtain property or services by the use of a credit card, knowing or having reasonable cause to believe that such card has expired or been revoked, or was obtained, is retained, or is being used in violation of law;
(3) Furnish property or services upon presentation of a credit card, knowing that such card is being used in violation of law;
(4) Represent or cause to be represented to the issuer of a credit card that property or services have been furnished, knowing that such representation is false.

(C) No person, with purpose to violate this section, shall receive, possess, control, or dispense of a credit card.

(D) Whoever violates this section is guilty of misuse of credit cards, a misdemeanor of the first degree. If the value of the property or services involved in a violation of division (B) (2), (3), or (4) of this section is one hundred fifty dollars or more, or if the offender has previously been convicted of a theft offense, then misuse of credit cards is a felony of the fourth degree.

HISTORY: 1972 H 511, eff. 1-1-74

FORGERY

OHIO CRIMINAL CODE 2913.31

(A) No person, with purpose to defraud, or knowing that he is facilitating a fraud, shall do any of the following:

(1) Forge any writing of another without his authority;
(2) Forge any writing so that it purports to be genuine when it is actually spurious, or to be the act of another who did not authorize that act, or to have been executed at a time or place or with terms different from what was in fact the case, or to be a copy of an original when no such original existed;
(3) Utter, or possess with purpose to utter, any writing which he knows to have been forged.

(B) Whoever violates this section is guilty of forgery, a felony of the fourth degree.

HISTORY: 1972 H 511, eff. 1-1-74

CRIMINAL SIMULATION

OHIO CRIMINAL CODE 2913.32

(A) No person, with purpose to defraud, or knowing that he is facilitating a fraud, shall do any of the following:

(1) Make or alter any object so that it appears to have value because of antiquity, rarity, curiousity, source, or authorship, which it does not in fact possess;

(2) Practice deception in making, retouching, editing, or reproducing any photograph, movie film, video tape, phonograph record, or recording tape;

(3) Utter, or possess with purpose to utter, any object which he knows to have been simulated as provided in division (A) (1) or (2) of this section.

(B) Whoever violates this section is guilty of criminal simulation, a felony of the fourth degree.

HISTORY: 1972 H 511, eff. 1-1-74

PENALTIES FOR MISDEMEANOR

OHIO CRIMINAL CODE 2929.21

(A) Whoever is convicted of or pleads guilty to a misdemeanor other than a minor misdemeanor shall be imprisoned for a definite term or fined, or both, which term of imprisonment and fine shall be fixed by the court as provided in this section.

(B) Terms of imprisonment for misdemeanor shall be imposed as follows:

(1) For a misdemeanor of the first degree, not more than six months;
(2) For a misdemeanor of the second degree, not more than ninety days;
(3) For a misdemeanor of the third degree, not more than sixty days;
(4) For a misdemeanor of the fourth degree, not more than thirty days.

(C) Fines for misdemeanor shall be imposed as follows:

(1) For a misdemeanor of the first degree, not more than one thousand dollars;
(2) For a misdemeanor of the second degree, not more than seven hundred fifty dollars;
(3) For a misdemeanor of the third degree, not more than five hundred dollars;
(4) For a misdemeanor of the fourth degree, not more than two hundred fifty dollars.

(D) Whoever is convicted of or pleads guilty to a minor misdemeanor shall be fined not more than one hundred dollars.

HISTORY: 1972 H 511, eff. 1-1-74

PENALTIES FOR FELONY

OHIO CRIMINAL CODE 2929.11

(A) Whoever is convicted of or pleads guilty to a felony other than aggravated murder or murder, shall be imprisoned for an indefinite term and, in addition, may be fined. The indefinite term of imprisonment shall consist of a maximum term as provided in this section and a minimum term fixed by the court as provided in this section.

(B) Terms of imprisonment for felony shall be imposed as follows:

(1) For a felony of the first degree, the minimum term shall be four, five, six, or seven years, and the maximum term shall be twenty-five years.
(2) For a felony of the second degree, the minimum term shall be two, three, four, or five years, and the maximum term shall be fifteen years;
(3) For a felony of the third degree, the minimum term shall be one year, eighteen months, two years, or three years, and the maximum term shall be ten years;
(4) For a felony of the fourth degree, the minimum term shall be six months, one year, eighteen months, or two years, and the maximum term shall be five years.

(C) Fines for felony shall be imposed as follows:

(1) For a felony of the first degree, not more than ten thousand dollars;
(2) For a felony of the second degree, not more than seven thousand five hundred dollars;
(3) For a felony of the third degree, not more than five thousand dollars;
(4) For a felony of the fourth degree, not more than two thousand five hundred dollars.

HISTORY: 1972 H 511, eff. 1-1-74

CASE #_____

ANY COUNTY MUNICIPAL COURT

ANY STATE
ANY CITY

Name _____ _____

Address _____

Description _____

COMPLAINT

ANY STATE
ANY COUNTY
ANY CITY

Complainant being duly sworn states that

_____

at any county, any state, on or about the _____ day of

_____ 19 ___ did _____

_____

_____

_____

_____

_____

in violation of State Code _____

Complainant _____

Address _____

Sworn to and subscribed before me, this

_____ *day of* _____ *A.D., 19* _____

JOHN JONES
Clerk of any County Municipal Court

By _____, Deputy

SLATE #_____

CASE #_____

ANY COUNTY MUNICIPAL COURT

ANY STATE
ANY CITY

Name _____

Address _____

Description _____

COMPLAINT

ANY STATE
ANY COUNTY
ANY CITY

Complainant being duly sworn states that

_____

at any county, any state, on or about the _____ day of

_____ 19___ did *obtain a credit card, to wit: (name of issuer and card) by deception, said credit card having been issued on / / by the (name of card and issuer) relying upon (applicant's name) deception. In violation of section 2913.21 A-1 of the state's Criminal Code a misdemeanor of the 1st degree.*
FELONY: 2nd offense
substitute and add the following -- a felony of the fourth degree having been previously convicted of a theft offense, to wit: (charge - section number) on (date) in (name of court).

in violation of State Code #2913.21 A-1

Complainant _____

Address _____

Sworn to and subscribed before me, this

_____ *day of* _____ *A.D., 19* _____

JOHN JONES
Clerk of any County Municipal Court

By _____, Deputy

SLATE #_____

CASE #_____

ANY COUNTY MUNICIPAL COURT

ANY STATE
ANY CITY

Name _____

Address _____

Description _____

COMPLAINT

ANY STATE
ANY COUNTY
ANY CITY

Complainant being duly sworn states that

_____

at any county, any state, on or about the _____ day of

_____ 19 ___ did *with purpose to defraud obtain control over a credit card, to wit: (name of card #) from _____ as security for a debt -- in violation of section 2913.21 of the state's Criminal Code a misdemeanor of the first degree.*
FELONY: substitute and add the following; a felony of the fourth degree having been previously convicted of a theft offense, to wit: (offense and section number) on (date) in (name of court).

_____

in violation of State Code *#2913.21 B-1*

Complainant _____

Address _____

Sworn to and subscribed before me, this

_____ *day of* _____ *A.D., 19* _____

JOHN JONES
Clerk of any County Municipal Court

By _____, Deputy

SLATE #_____

CASE #_____

ANY COUNTY MUNICIPAL COURT

ANY STATE
ANY CITY

Name _____

Address _____

Description _____

COMPLAINT

ANY STATE
ANY COUNTY
ANY CITY

Complainant being duly sworn states that

_____

at any county, any state, on or about the _____ day of

_____ 19 ___ did *knowingly (buy or sell) a credit card, to wit: (kind of card) of (company or bank), (from or to) (name) who was not the issuer in violation of section 2913.21 of the state's Criminal Code a misdemeanor of the first degree.*

FELONY:
substitute and add the following -- a felony of the fourth degree having been previously convicted of a theft offense, to wit: (charge and section number) on (date) in (name of court).

_____

in violation of State Code #2913.21 A-2

Complainant _____

Address _____

Sworn to and subscribed before me, this

_____ *day of* _____ *A.D., 19* _____

JOHN JONES
Clerk of any County Municipal Court

By _____, Deputy

SLATE #_____

CASE # _____

ANY COUNTY MUNICIPAL COURT

ANY STATE
ANY CITY

Name _____

Address _____

Description _____

COMPLAINT

ANY STATE
ANY COUNTY
ANY CITY

Complainant being duly sworn states that

_____

at any county, any state, on or about the _____ day of

_____ 19 __ did *with purpose to defraud, obtain* _____
(property or service) to wit: (name and address of store)
by use of a credit card, to wit: (name and number of card)
on sales slip (number) dated _____ in the name of
_____, *knowing said card was (revoked,*
expired, etc.) violation of section 2913.21 of the state's
Criminal Code a misdemeanor of the first degree.
FELONY:
substitute and add -- a felony of the fourth degree since
the value of the property was over $150.00.

_____

in violation of State Code *#2913.21 B-2*

Complainant _____

Address _____

Sworn to and subscribed before me, this

_____ *day of* _____ *A.D., 19* _____

JOHN JONES
Clerk of any County Municipal Court

By _____, Deputy

SLATE # _____

INFORMATION NEEDED FOR CRIMINAL INVESTIGATION

Detailed information should include the following items:

* The name of the store and the address where the fraudulent purchase occurred.
* The name of the owner or manager of the store and his telephone number.
* The name of the legitimate card holder.
* A description of the item purchased, the amount, and the name of the clerk who waited on the customer.
* Samples of handwriting.
* Car rentals -- driver's license used.
* Charge slip kept by the store.

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